UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/599,637	10/04/2006	Won-Seok Yoo	56587.33	2098

27128 7590 11/12/2008

HUSCH BLACKWELL SANDERS LLP
720 OLIVE STREET
SUITE 2400
ST. LOUIS, MO 63101

EXAMINER	
JONES, MARCUS D	
ART UNIT	PAPER NUMBER
3714	

NOTIFICATION DATE	DELIVERY MODE
11/12/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

pto-sl@huschblackwell.com

Office Action Summary	Application No.	Applicant(s)	
	10/599,637	YOO, WON-SEOK	
	Examiner	Art Unit	
	MARCUS D. JONES	3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *01 August 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5 and 8-22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5 and 8-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *IDS (9 August 2008)*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

The amendment filed on 1 August 2008 in response to the previous Non-Final Office Action (1 May 2008) is acknowledged and has been entered.

Claims 1-5 and 8-22 are currently pending.

Claims 6 and 7 are cancelled.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 12-22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3. In reference to claims 12 and 20, section b states, "selecting a specific random channel according to the determined game behavior pattern of the user (where the random channel cannot be directly selected by the user)" It is unclear if the contents of the parenthesis are claim limitation or not. Appropriate correction is required.

4. Claims 13-19, 21 and 22, are rejected as being dependent upon claims 12 and 20.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. Claims 1-3, 8-18 and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oh (US PGPub 2005/0171998) and in view of Farnham et al. (US PGPub 2005/0192097).

In reference to claims 1, 12 and 21, Oh discloses a system for providing a game service to a plurality of users, an online game service system comprising: a channel database, the channel database storing random channels for at least one game and data on game rooms generated at the random channels (pg 2, par 27); a channel server, the channel server selecting one of the random channels in the channel database according to the respective users' game behavior pattern information stored in the user behavior pattern database, the channel server providing data on game rooms generated in the selected random channel, and the channel server controlling access to a selected game room when the user selects the game room (pg 3, par 29); and a game

server, the game server providing a game service to the users who have entered respective game rooms by the channel server (pg 2, par 29). Oh fails to specifically disclose a user behavior pattern database and a game server determining game behavior patterns of the respective users who play the game based on the respective users' actual playing of the game. Farnham teaches a user profile that can contain a number of different parameters associated with the user (pg 4, par 44) that is connected to a network database (pg 9, par 67). Farnham further teaches collaborative filtering in the matchmaking system to match users by certain criteria based upon the response of others as well as the user (pg 8, par 65). Farnham also teaches that the collaborative filtering methods produce ratings of an individual, a game and/or an experience and may be based on computation of various types of information, such as responses from a user after a game has been player (pg 7, par 61).

It would have been obvious to a person having ordinary skill in the art at the time of the invention to have modified Oh in view of Farnham to include a user profile and a matchmaking system to match gamers which desire to play others with similar game play characteristics.

In reference to claim 2, Oh and Farnham discloses the invention substantially as claimed. Farnham further teaches wherein the user behavior pattern database comprises: a user behavior pattern reference database for storing the at least one behavior pattern classification references for classifying game behavior patterns (pg 4, par 44); and a user behavior pattern information database for storing the behavior pattern classification information for respective users (pg 9, par 67).

In reference to claim 3, Oh and Farnham discloses the invention substantially as claimed. Oh further discloses wherein the channel server controls access to the random channel for the users who have the same or similar game behavior patterns (pg 3, par 37).

In reference to claim 8, Oh and Farnham discloses the invention substantially as claimed. Oh further discloses wherein the channel database further stores a list of general channels for each channel and data on game rooms generated at the general channel (pg 2, par 27), and the channel server refers to the channel database and provides data on the general channel for each channel and game rooms generated at the general channel, and controls the user to play the game through the game server in the selected game room when the user selects a specific game room in the general channel (pg 1, par 7).

In reference to claim 9, Oh and Farnham discloses the invention substantially as claimed. Oh further teaches a channel displaying component, the channel displaying component displaying a channel display for entrance to a random channel to the user by referring to the channel database (pg 3, par 36); a game room displaying component, the game room displaying component displaying a list of game rooms in a determined random channel to the user by referring to the channel database when the random channel is determined by the random channel controller (pg 3, par 36); and
a channel controller, the channel controller controlling the user to enter the random channel and select and enter a game room in the corresponding channel by controlling the channel displaying component, the random channel controller, and the game room

displaying component (pg 3, par 38). Farnham further teaches a random channel controller, the random channel controller controlling the user to select and enter one of the random channels in the channel database according to the corresponding user's game behavior pattern stored in the user behavior pattern database when the entrance to the random channel is selected through the channel displaying component (pg 1, par 5 and pg 4, par 44).

In reference to claim 10, Oh and Farnham discloses the invention substantially as claimed. Farnham further teaches wherein the random channel controller comprises: a user behavior pattern determination module, the user behavior pattern determination module determining a game behavior pattern classification of the user having selected the random channel by referring to the user behavior pattern database (pg 4, par 44); and a channel determination module, the channel determination module determining a random channel that the corresponding user will enter from among the random channels in the channel database based on the users' behavior pattern classifications determined by the user behavior pattern determination module (pg 6, par 55).

In reference to claim 11, Oh and Farnham discloses the invention substantially as claimed. Farnham further teaches wherein the Internet game service system (pg 1, par 7) comprises: a user behavior pattern monitoring module, the user behavior pattern monitoring module monitoring the users' behavior patterns of playing the game by referring to the respective behavior pattern references in the user behavior pattern database (pg 9, par 69); a user behavior pattern determination module, the user behavior pattern determination module finally determining the respective users' behavior

patterns of playing the game by using game behavior pattern information of the users monitored by the user behavior pattern monitor while the users play the game or when the game is over (pg 7, par 61); a user behavior pattern recording module, the user behavior pattern recording module storing the respective users' behavior patterns of playing the game determined by the user behavior pattern determination module in the user behavior pattern database for the respective users (pg 9, par 67); and a game controller, the game controller controlling the progress of the game by referring to a game rule established for each game so that the users may play the game, and controlling the respective users' behavior patterns of playing the game determined by the user behavior pattern monitor and the user behavior pattern determination module to be recorded in the user behavior pattern database through the user behavior pattern recording module while the users play the game or when the game is over (pg 7, par 61).

In reference to claim 13, Oh and Farnham discloses the invention substantially as claimed. Oh further discloses displaying a list of general channels for the game selected by the user and an entrance to the random channel (pg 3, par 36). Farnham further teaches receiving the user's game behavior pattern from a storage unit storing users' game behavior patterns when a display for the entrance to the random channel is selected by the user (pg 9, par 68).

In reference to claim 14, Oh and Farnham discloses the invention substantially as claimed. Farnham further teaches wherein the step b) comprises selecting the

random channel so that the users who have the same or similar game behavior patterns may enter the same random channel (pg 9, par 68).

In reference to claim 15, Oh and Farnham discloses the invention substantially as claimed. Farnham further teaches that if all player spots have been filled that the matching process ends (pg 6, par 53). However, it would have been obvious to a person having ordinary skill in the art at the time of the invention to create a room for players that have not been matched to play together.

In reference to claims 16 and 17, Oh and Farnham discloses the invention substantially as claimed. Farnham further teaches wherein one of random channels is automatically randomly selected when a plurality of random channels that the users who have the same or similar game behavior patterns have entered are provided and wherein game behavior pattern information other than the user's game behavior pattern information used when the user have entered the random channel is used when the random channel for the user is selected (pg 9, par 69).

In reference to claim 18, Oh and Farnham discloses the invention substantially as claimed. Farnham further teaches wherein the step d) comprises: i) monitoring the users' game behavior patterns while the game is played (pg 9, par 69); ii) analyzing the users' game behavior patterns according to the monitored results when the game is over (pg 7, par 61); iii) determining the users' game behavior patterns according to the analysis results (pg 7, par 61); and iv) recording the determined users' game behavior patterns for the respective users (pg 9, par 67).

In reference to claim 22, Oh and Farnham discloses the invention substantially as claimed. Farnham further teaches wherein the game server determines game behavior patterns of the respective users who have played the game (pg 8, par 65).

4. Claims 4, 5, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oh (US PGPub 2005/0171998) and Farnham et al. (US PGPub 2005/0192097) as applied to claims 1-3, 8-18 and 21-22 above, and further in view of Rowe (US 6,645,077).

In reference to claim 4, Oh and Farnham discloses the invention substantially as claimed. Farnham further teaches creating a profile of users with a number of user parameters (pg 4, par 44). Farnham teach using a play style category of whether the user is honest/trustworthy (pg 2, par 25). The honest/trustworthy parameter is based upon whether a player tends to deceive other during the game. Farnham also teaches a category of general skill level (pg 2, par 27). The general skill level identifies the expertise of a player for a game category, game type or a page. General skill levels include, novice, advanced, expert and win/lose ratio. Rowe teaches storing game information such as amount bet per game as game data (col 9, ln 65-67).

It would have been obvious to a person having ordinary skill in the art at the time of the invention to have modified Oh and Farnham in view of Rowe to include storing and analyzing game data to measure game performance to include in the user profile.

In reference to claim 5, Oh and Farnham in view of Rowe discloses the invention substantially as claimed, but fail to explicitly disclose a channel reference active at a

specific channel and a bet reference without bets when no compliant users are provided. Farnham teaches matching users with other users that have similar interest. It would have been obvious to a person having ordinary skill in the art to have a separate channel for those users who have been categorized as deceitful or untrustworthy to increase game security and excitement for other users. It would have also been obvious to a person having ordinary skill in the art at the time of the invention to restrict wagering privileges of those users who are not trustworthy. For example, it is customary in a casino to remove a player that has been found to be cheating in turn revoking their betting privileges.

In reference to claim 19, Oh and Farnham discloses the invention substantially as claimed, but fail to explicitly disclose recording and analyzing the amount of bets per game for gaming terminal. Rowe teaches storing game transaction information such as coin-in, coin-out, and amount bet per game. Rowe also teaches the data may be used by analysis tools to generate certain game performance information (col 9, ln 65- col 10, ln 10).

In reference to claim 20, Oh discloses: a method for providing a game service to a plurality of users, an online game service method comprising: b) selecting a specific random channel according to the determined user's game behavior pattern (where the random channel cannot be directly selected by the user) (pg 2, par 27); c) displaying game rooms in the selected specific random channel to the user and controlling the user to select one of the game rooms (pg 2, par 29); and d) controlling the users to play the game in the game room at the specific random channel selected by the user, and

concurrently analyzing and recording game behavior patterns of the users who play the game (pg 2, par 29). Oh fails to specifically disclose determining a user's game behavior pattern, based on the user's actual playing of the game and wherein the users' game behavior pattern references include at least one of a classification of collaborative users for deceit and, classification following game usage, and a classification depending on bets. Farnham teaches a user profile that can contain a number of different parameters associated with the user (pg 4, par 44) that is connected to a network database (pg 9, par 67). Farnham further teaches collaborative filtering in the matchmaking system to match users by certain criteria based upon the response of others as well as the user (pg 8, par 65). Farnham also teaches that the collaborative filtering methods produce ratings of an individual, a game and/or an experience and may be based on computation of various types of information, such as responses from a user after a game has been player (pg 7, par 61).

It would have been obvious to a person having ordinary skill in the art at the time of the invention to have modified Oh in view of Farnham to include a user profile and a matchmaking system to match gamers which desire to play others with similar game play characteristics.

Farnham also teach using a play style category of whether the user is honest/trustworthy (pg 2, par 25). The honest/trustworthy parameter is based upon whether players tends to deceive others during the game. If a group of players in a game room have all been designated as dishonest/untrustworthy, then there is clear intent for collaborative deceit and a user would not be allowed to enter the game room.

Farnham also teaches a category of game usage (pg 2, par 27, *general skill level*). The general skill level identifies the expertise of a player for a game category, game type or a page. General skill levels include, novice, advanced, expert and win/lose ratio. Rowe teaches storing game information such as amount bet per game as game data (col 9, ln 65-67).

It would have been obvious to a person having ordinary skill in the art at the time of the invention to have modified Oh and Farnham in view of Rowe to include storing and analyzing game data to measure game performance to include in the user profile.

Response to Arguments

5. With respect to claims 1, 12, 20 and 21, Applicant asserts that neither Farnham nor Oh disclose "the claimed invention as amended determines game behavior patterns of the users who play the game based on the respective users' actual playing of the game and the channel serve disclosed by the present applicant selects one of the random channel for the game in accordance with the respective users' game behavior pattern information." (Remarks, pg 15)

6. The Examiner respectfully disagrees.

7. Farnham further teaches collaborative filtering in the matchmaking system to match users by certain criteria based upon the response of others as well as the user (pg 8, par 65). Farnham also teaches that the collaborative filtering methods produce ratings of an individual, a game and/or an experience and may be based on computation of various types of information, such as responses from a user after a

game has been played (pg 7, par 61). As can be appreciated, when a user inputs information of another users' play style, etc. the user must have played a game with that user on which to base their response.

8. With respect to claim 20, Applicant asserts that "Farnham cannot prevent a multiple collaborative users from accessing a same game room because collaborative deceit for the game cannot be identified when the users access the game room." Also, "Farnham does not teach or suggest how the collaborative deceit can be identified from the user's playing of the game."(Remarks, pg 16)

9. Farnham's honest/trustworthy parameter is determined from other users who have played a game with the present users and have surveyed their experience. The honest/trustworthy parameter is based upon whether players tends to deceive others during the game. If a group of players in a game room have all been designated as dishonest/untrustworthy, then there is clear intent for collaborative deceit and a user would not be allowed to enter the game room. Farnham also teaches a category of game usage (pg 2, par 27, *general skill level*). The general skill level identifies the expertise of a player for a game category, game type or a page. General skill levels include, novice, advanced, expert and win/lose ratio. Rowe teaches storing game information such as amount bet per game as game data (col 9, ln 65-67).

10. Applicant also asserts that "Farnham et al. teaches away from its combination with the server's selection of a game room for a user, elimination the user's intention." (Remarks, pg 17)

11. The Examiner again respectfully disagrees.

12. Farnham teaches a matchmaking server 520 can compare the profile of a user at a computer to see if it meets the requirements for the host game of another user. If so, the matchmaking server 520 can match the user to host game of another user (pg 6, par 55).

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ach, III (US 6,996,444) describes rating the performance of a contest participant. Breese et al. (US 6,353,813) describes a method of matching entities using collaborative filtering. Chislenko et al. (US 6,092,049) describes a method for recommending items to users using automated collaborative filtering. Amaitis et al.(US PGPub 2007/054739) describes a peer-to-peer gaming system.

14. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARCUS D. JONES whose telephone number is (571)270-3773. The examiner can normally be reached on M-F 9-5 EST, Alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John M. Hotaling can be reached on 571-272-4437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Marcus D. Jones/
Examiner, Art Unit 3714

/John M Hotaling II/
Supervisory Patent Examiner, Art Unit 3714